

PATENT

AUG 30 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
 Donald Penner, Christy L. Sprague and Richard
 In re application of: F. Burow
 Application No.: 09 /777,320 Group No.: 1616
 Filed: 2001 February 6 Examiner: A. Pryor
 For: COMPOSITIONS AND METHODS FOR PROTECTING CULTIVATED PLANTS
 FROM HERBICIDAL INJURY



Assistant Commissioner for Patents
 Washington, D.C. 20231

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.

STATUS

- Applicant is

- a small entity. A statement:
- is attached.
- was already filed.
- other than a small entity.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 8/22/01

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office.

Tammi L. Taylor
 Signature

Tammi L. Taylor

(type or print name of person certifying)

(Amendment Transmittal [9-19]—page 1 of 4)

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

(a) Applicant petitions for an extension of time under 37 C.F.R. § 1.136
(fees: 37 C.F.R. § 1.17(a)(1)-(4) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$ 195.00
<input type="checkbox"/> three months	\$ 890.00	\$ 445.00
<input type="checkbox"/> four months	\$ 1,390.00	\$ 695.00

Fee: \$_____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for _____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

OR

(b) Applicant believes that no extension of term is required. However, this is a conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE OR RATE	ADDIT. FEE
TOTAL * 48	MINUS ** 48	= -0-	x\$9= \$	x\$18= \$	-0-
INDEP. * 7	MINUS *** 7	= -0-	x\$40= \$	x\$80= \$	-0-
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$135 = \$	+ \$270 = \$	-0-
			TOTAL ADDIT. FEE \$	OR	TOTAL ADDIT. FEE \$ -0-

- * If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) No additional fee for claims is required.

OR

(d) Total additional fee for claims required \$ _____

FEE PAYMENT

- Attached is a check money order in the amount of \$ 110.00 (Terminal Disclaimer Fee)
- Authorization is hereby made to charge the amount of \$ _____
- to Deposit Account No. _____
- to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

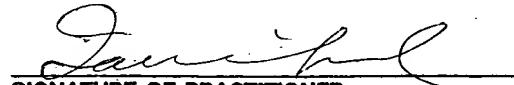
FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. If any additional extension and/or fee is required, charge Account
No. 13-0610

AND/OR

If any additional fee for claims is required, charge Account
No. 13-0610



SIGNATURE OF PRACTITIONER

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Donald Penner, Christy L. Sprague and
Richard F. Burow

Serial No.: 09/777,320 Group Art Unit: 1616

Filed : February 6, 2001

For : COMPOSITIONS AND METHODS FOR PROTECTING
CULTIVATED PLANTS FROM HERBICIDAL INJURY

Examiner : A. Pryor

BOX FEE AMENDMENT

Assistant Commissioner for Patents
Washington, D. C. 20231

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action mailed July 5, 2001, enclosed is the required Terminal Disclaimer along with the required fee of \$110. Notice of Allowance is requested.

Respectfully,


Ian C. McLeod
Registration No. 20,931

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Enclosure: Terminal Disclaimer